THE HON'BLE SRI JUSTICE C.V. RAMULU

Tuesday, 26th September, 2006

W.P.No.20106 of 2006

Between:

K. Syamalamma … Petitioner

and

The Joint Collector, Anantapur,
Anantapur District & another … Respondents

THE HON'BLE SRI JUSTICE C.V. RAMULU

W.P.No.20106 of 2006

ORAL ORDER:

Heard both sides.

The only grievance of the petitioner is that though the appeal is entertained against the order of cancellation dated 6-3-2006 passed by the 2nd respondent, the stay petition was erroneously rejected by the 1st respondent by an Order dated 11-4-2006.

There is no necessity of going into all the details. Granting of stay is a matter of discretion on the facts and circumstances of the case. I am of the opinion that the learned Joint Collector, Anantapur – 1st respondent herein - has not committed any error in rejecting the application for grant of stay in view of the allegations made against the petitioner and the conclusions reached by the 2nd respondent-Revenue Divisional Officer in the impugned Order before him. The Writ Petition is devoid of merits and is liable to be dismissed.

Accordingly, the Writ Petition is dismissed at the admission stage.

However, the 1st respondent-appellate authority is directed to dispose of the appeal, within a period of six (6) weeks from the date of receipt of a copy of this order. In the meanwhile, no permanent arrangement shall be made against the fair price shop of Gadekal village, Vidapanakal Mandal, Anantapur District.

26-9-2006

Office to furnish
CC within 3 days
(B.O.)
prk